

Superseded 5/12/2015

58-5a-102 Definitions.

In addition to the definitions under Section 58-1-102, as used in this chapter:

- (1) "Board" means the Podiatric Physician Board created in Section 58-5a-201.
- (2) "Practice of podiatry" means the diagnosis and treatment of conditions affecting the human foot and ankle and their manifestations of systemic conditions by all appropriate and lawful means, subject to the following provisions:
 - (a) surgical procedures may be performed upon all bones of the foot and ankle, with the exception of the following procedures:
 - (i) ankle fusion;
 - (ii) massive ankle reconstruction; and
 - (iii) reduction of trimalleolar fractures of the ankle;
 - (b) surgical treatment of any condition of the ankle and governing and related structures of the foot and ankle above the ankle shall be:
 - (i) performed in an ambulatory surgical facility, general acute hospital, or a specialty hospital, as defined in Section 26-21-2; and
 - (ii) subject to review by a quality care review body which includes qualified licensed physicians and surgeons.
- (3)
 - (a) "Unlawful conduct" as defined in Section 58-1-501 includes the following conduct by a person not licensed under this chapter:
 - (i) using the title or name podiatric physician, podiatrist, foot doctor, foot specialist, or D.P.M.; or
 - (ii) implying or representing he is qualified to practice podiatry.
 - (b) "Unlawful conduct" as defined in Section 58-1-501 includes the following conduct by a person licensed under this chapter:
 - (i) administering general anesthesia; or
 - (ii) amputating the foot.
- (4) "Unprofessional conduct" as defined in Section 58-1-501 and as may be further defined by rule, includes:
 - (a) communicating to a third party, without the consent of the patient, information acquired in treating the patient that is necessary to enable the podiatric physician to treat the patient except as necessary for professional consultation regarding treatment of a patient;
 - (b) allowing one's name or license as a podiatric physician to be used by another person who is not licensed to practice podiatry in this state;
 - (c) employing, directly or indirectly, any unlicensed person to practice podiatry;
 - (d) use of alcohol or drugs to the extent a licensee's ability to safely engage in the practice of podiatry is impaired;
 - (e) unlawfully prescribing, selling, or giving away any prescription drug, including controlled substances, as defined in Section 58-37-2;
 - (f) gross incompetency in the practice of podiatry;
 - (g) willfully and intentionally making a false statement or entry in hospital records, medical records, or reports;
 - (h) willfully making a false statement in reports or claim forms to governmental agencies or insurance companies with the intent to secure payment not rightfully due; or
 - (i) willfully using false or fraudulent advertising.